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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,
Plaintiff, Counter-defendant,
 v.
 APPLE INC.,
Defendant, Counterclaimant.

IN RE APPLE IPHONE ANTITRUST
 LITIGATION

DONALD R. CAMERON, *et al.*,
Plaintiffs,
 v.
 APPLE INC.,
Defendant.

Case No. 4:20-cv-05640-YGR-TSH
 Case No. 4:11-cv-06714-YGR-TSH
 Case No. 4:19-cv-03074-YGR-TSH

**EPIC GAMES, INC.'S
 STATEMENT CONCERNING
 DEFENDANT APPLE INC.'S
 STATEMENT IN RESPONSE TO
 ORDER TENTATIVELY DENYING
 ADMINISTRATIVE MOTION TO
 MODIFY CASE SCHEDULE**

Judge: Hon. Yvonne Gonzalez Rogers

EPIC'S STATEMENT CONCERNING APPLE'S STATEMENT IN RESPONSE TO ORDER TENTATIVELY
 DENYING ADMINISTRATIVE MOTION TO MODIFY CASE SCHEDULE
 CASE NO. 4:20-CV-05640-YGR-TSH; 4:11-CV-06714-YGR-TSH; 4:19-CV-03074-YGR-TSH

In a filing relating to a dispute between Apple Inc. (“Apple”) and the class plaintiffs in the above-captioned actions, Apple has requested “that the Court consider moving the class certification briefing schedule, the *Epic* trial, and other corresponding dates back by approximately eight weeks”. (See *Epic v. Apple*, Dkt. 223 at 4-6.) But these scheduling issues relating to class certification should not impact the schedule in *Epic v. Apple* in any way. Epic Games, Inc. (“Epic”) hesitates to burden the Court with additional paper on this issue, but does so in light of the statements Apple made in the related class actions regarding the *Epic v. Apple* trial date.

Apple has long been attempting to manufacture delay to resist a schedule that it never wanted. Apple’s filing in the related class actions is just the most recent step in its playbook. Epic strongly opposes any delay in the *Epic v. Apple* case. Epic is fully prepared to proceed on the current Court-ordered schedule and requests that no change be made to that schedule. For the same reasons—and more—that led the Court to set *Epic v. Apple* for trial on May 3, 2021, Epic would suffer significant prejudice as a result of any delay. Should the Court consider a change in the schedule of the *Epic v Apple* case, Epic respectfully asks to be heard on this issue.

Dated: January 6, 2021

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Respectfully submitted,

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